

REMARKS

This Amendment is being filed in response to the Office Action mailed on April 2, 2008, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

By means of the present amendment, the current Abstract has been deleted and substituted with the enclosed New Abstract which better conforms to U.S. practice.

By means of the present amendment, claims 1-5 and 7-8 have been amended for non-statutory reasons, such as for better form including beginning the independent claims with 'A', beginning the dependent claims with 'The', and deleting reference numerals typically used in European practice that are known to not limit the scope of the claims. Such amendments to claims 1-5 and 7-8 were not made in order to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents.

In the Office Action, the Examiner objected to the drawings because of lack of labels in FIGs 4A-4B. In response, labels have

been added to FIGs 4A-4B. A replacement sheet including FIGs 4A-4B is enclosed. Applicants respectfully request approval of the enclosed proposed drawing changes and withdrawal of the drawing objection.

In the Office Action, claims 6 and 9 are rejected under 35 U.S.C. §101 as allegedly directed to non-statutory subject matter. Without agreeing with the position forwarded in the Office Action, and in the interest of furthering the prosecution and expediting allowance of the present Application, claims 6 and 9 have been amended for better form that more clearly recites statutory subject matter. It is respectfully requested that the rejection of claims 6 and 9 are under 35 U.S.C. §101 has been overcome and withdrawal of this rejection is respectfully requested.

In the Office Action, claims 1-10 are rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,421,717 (Kloba). It is respectfully submitted that claims 1-10 are patentable over Kloba for at least the following reasons.

With regard to claim 1, the Examiner contends on page 5 of the Office Action that Kloba essentially teaches (in FIG. 1A, element

112A and FIG. 1J, element 174C, Col. 23, lines 30-47) providing an application interface for requests for storing auxiliary data from application in the user device and having the auxiliary data stored on the remote server via the network. Applicants respectfully disagree with the Examiner characterizations of Kloba with regard to claim 1.

To begin, Kloba expressly teaches that the client interface module (112) (in FIG. 1A, element 112A) enables the client (108) to communicate with adapters (118) and optionally link to client communications module 110 in some embodiments to provide functionality (for example, when the client communications module 110 uses a wireless modem's drivers, which are accessed via client interface module 112) (see, e.g., Col. 12, lines 22-37).

Moreover, Kloba expressly teaches (in FIG. 1J, element 174C and Col. 23, lines 19-47) methods for caching device information on a server. In particular, Kloba teaches a method for maintaining or caching state information on or user or device (106) in a server (104), wherein the server (104) maintains the state information on behalf of the client, wherein such state information is provided to

the server (104) by the provider (128) and used by the server (104) to access the provider (128) (see, Col. 23, lines 27-47).

It is respectfully submitted that Kloba does not teach or suggest the present invention as recited in independent claim 1, and similarly recited in independent claims 4 and 7 which, amongst other patentable elements, recites (illustrative emphasis provided):

providing an application interface which enables access to a virtual local storage by an application running on the user device by processing a request from the application to store auxiliary data associated with the application in the virtual local storage, and, when a storage request is received, having the auxiliary data stored on the remote server via the network.

There is nothing in the cited sections of Kloba that teach or suggest an application programming interface that allows an application executing on the user device to store auxiliary data associated with the application on a remote server, within the scope and contemplation of the claimed inventions. In fact, Kloba teaches that it is the provider (128) that actually stored the state information of the client device on the server (104) (see, Col. 23, lines 34-37).

Further, the anticipation rejection of claim 4 on page 6 of the Office Action fails to address the specific claim limitation in claim 4 with respect to a socket connection being initiated by a storage application in the user device. These features are nowhere disclosed or suggested in Kloba.


Accordingly, it is respectfully requested that independent claims 1, 4 and 7 be allowed. In addition, it is respectfully submitted that claims 2-3, 5-6 and 8-10 should also be allowed at least based on their dependence from independent claims 1, 4 or 7 as well as their individually patentable elements. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of

the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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Enclosure: Replacement drawing sheet (1 sheet including
FIGs 4A-4B)

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